

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

DÍAZ-CASTRO, *et al.*,  
Plaintiffs,

v.

COMMONWEALTH OF  
PUERTO RICO, *et al.*,  
Defendants.

CIVIL NO. 16-2873 (CCC)

NOTICE OF COMMENCEMENT OF CASE UNDER TITLE III OF PROMESA  
AND OF AUTOMATIC STAY OF PROCEEDINGS

TO THE HONORABLE COURT:

COMES NOW the Department of Justice of the Commonwealth of Puerto Rico, without waving any defense and without submitting to the Court's jurisdiction, and through the undersigned attorney very respectfully SETS FORTH and PRAYS as follows:

1. On May 3, 2017, the Commonwealth of Puerto Rico (“Commonwealth”), by its representative pursuant to section 315 of the Puerto Rico Oversight, Management, and Economic Stability Act (“PROMESA”), the Financial Oversight and Management Board for Puerto Rico, filed a petition in the United States District Court for the District of Puerto Rico under Title III of PROMESA. *In re: Commonwealth of Puerto Rico*, Case No. 17-1578 (the “Petition”).

2. The above-captioned action was commenced on October 25, 2016 (**Docket No. 1**), alleging claims against the Commonwealth of Puerto Rico, its agencies and/or officials, for events that allegedly occurred before May 3, 2017.

3. Pending before this Court are Defendants’ Motions to Dismiss (**Docket No. 10**), discovery until September 22, 2017 (**Docket No. 20**), dispositive motions to be filed (**Id.**), the

Pretrial Conference and the Jury Trial scheduled for February 21 and May 11, 2018, respectively (**Id.**) and Defendants' Response to Plaintiffs' Motion to Amend the Complaint (**Docket No. 29**).

4. Pursuant to sections 362(a) and 922(a) of the Bankruptcy Code, as incorporated by reference under Section 301(a) of PROMESA, the commencement or continuation "of a judicial, administrative, or other actions or proceedings against the debtor that was or could have been commenced before the commencement" of the petition under Title III or "any act to collect, assess, or recover a claim against the debtor that arose before the commencement of the case under" a Title III proceeding is automatically stayed without further action. 11 U.S.C. §§ 362(a), 922(a); 48 U.S.C. § 2161(a)(emphasis provided). The Commonwealth of Puerto Rico is the debtor in the Petition pursuant to 48 U.S.C. § 2161(c)(2) (PROMESA § 301(c)(2)).

5. The undersigned requests the court to take judicial notice of the above and stay the proceedings in the above-captioned case pursuant to sections 362(a) and 922(a) of the Bankruptcy Code, as incorporated by reference under section 301(a) of PROMESA, 48 USC § 2161(a).

6. The Commonwealth of Puerto Rico does not waive any right or defense arising from Title III of PROMESA and the Commonwealth's Petition under Title III. The Commonwealth reserves its right to plead or address any pending matter or claim in this case if the stay is lifted or if any order is issued in the Petition proceedings under Title III.

**WHEREFORE**, Defendants respectfully request the Court to stay all proceedings in this case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico on this 19<sup>th</sup> day of June, 2017.

IT IS HEREBY CERTIFIED that on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties.

**WANDA VÁZQUEZ GARCED**  
Secretary of Justice

**WANDYMAR BURGOS VARGAS**  
Deputy Secretary in Charge of  
Litigation

**SUSANA PEÑAGARÍCANO-BROWN**  
Director of Federal Litigation  
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